

**Item 1 - Cover Page**



Registered Investment Adviser  
CRD # 285039

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Form ADV Part 2A  
Firm Brochure  
March 28, 2024

This brochure provides information about the qualifications and business practices of Montoya Wealth Management Group LLC. Please contact Brandon Montoya at (928) 460-0972 if you have any questions about the content of this brochure.

The information in this brochure has not been approved or verified by the United States Securities and Exchange Commission (SEC) or any state securities administrator. Additional information about Montoya Wealth Management Group LLC is available on the SEC's website at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov). Click on the "Investment Adviser Search" link and then search for "Investment Adviser Firm" using the firm's IARD ("CRD") number, which is 285039.

While the advisory firm and anyone associated with it may be registered and/or licensed within a particular jurisdiction, that registration and/or licensing in itself does not imply an endorsement by any regulatory authority, nor does it imply a certain level of skill or training on the part of the firm or its associated personnel.

## **Item 2 - Material Changes**

Montoya Wealth Management Group LLC amended its Form ADV Part 2 brochure to update its hourly rate and streamline narrative content.

The firm may at any time update this document and either send a copy of its updated brochure or provide a summary of material changes to its brochure and an offer to send an electronic or hard copy form of the updated brochure. Clients are also able to download this brochure from the SEC's website at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov) or may contact our firm at 928-308-7650 to request a copy at any time.

As with all firm documents, clients and prospective clients are encouraged to review this brochure in its entirety and are encouraged to ask questions at any time prior to or throughout the engagement.

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### **Important Information**

Throughout this document, Montoya Wealth Management Group LLC shall also be referred to as “the firm,” “firm,” “our,” “we” or “us.” The client or prospective client may be also referred to as “you,” “your,” etc., and refers to a client engagement involving a single *person* as well as two or more *persons*, and may refer to natural persons and legal entities. The term “advisor” and “adviser” are used interchangeably where accuracy in identification is necessary (i.e., internet address, etc.).

Our firm maintains a business continuity and succession plan that is integrated within the organization to ensure it appropriately responds to events that pose a significant disruption to its operations. A statement concerning the current plan is available under separate cover upon request.

## **Item 4 - Advisory Business**

Montoya Wealth Management Group LLC is an Arizona domiciled limited liability company formed in July of 2016, and became registered as an investment advisor in September of 2016. We may operate under the trade name Montoya Wealth Management or Montoya Wealth. There are no subsidiaries nor is the firm controlled by another financial services industry entity. Montoya Wealth distinguishes itself from traditional investment advisory firms by providing services to meet the clients' retirement, investment needs, tax planning, tax preparation, and estate planning needs.

Brandon J. Montoya is the firm's President. Mr. Montoya is also Managing Member, and Chief Compliance Officer and he maintains 50 percent ownership of the firm. Erica Ryberg, CFP® is the firm's Financial Planner, and also maintains 50 percent ownership of the firm. The professional experience of Mr. Montoya and Ms. Ryberg may be found toward the end of this document within his brochure supplement.

Ongoing and continuous supervision of clients' investment accounts are provided through our portfolio management services offering. In addition to portfolio management, Montoya Wealth Management also provides its clients with advice on key topics such as cash flow management and budgeting, funding a college education, retirement planning, risk management, estate and tax planning, among others. We provide educational seminars involving a broad range of financial planning and investing topics.

An initial interview is conducted with the client to discuss their current situation, long-term goals, and the scope of services that may be provided. Prior to or during this first meeting the client will be provided with this Form ADV Part 2 firm brochure that includes a statement involving our privacy policy (see Item 11), as well as a brochure supplement about the representative who will be assisting them. The firm will disclose any material conflicts of interest that could be reasonably expected to impair the rendering of unbiased and objective advice; such as information found in Item 10 of this brochure.

If the client wishes to engage our firm for its services, they must first execute our engagement agreement. Thereafter further discussion and analysis will be conducted to determine financial needs, goals, holdings, etc. Depending on the scope of the engagement, the client may be asked to provide copies of the following documents early in the process:

- Statements reflecting current investments in retirement and non-retirement accounts
- Completed risk profile questionnaires or other forms provided by our firm
- Information on current retirement plans and benefits provided by an employer
- Tax returns
- Wills, codicils and trusts
- Insurance policies
- Mortgage information
- Student loans
- Divorce decree or separation agreement
- Current financial specifics including W-2s or 1099s
- Employment or other business agreements

It is important that we are provided with an adequate level of information and supporting documentation throughout the term of the engagement including but not limited to: source of funds, income levels, and an account holder or attorney-in-fact's authority to act on behalf of the account, among other information that may be necessary for our services. The information and/or financial statements provided to us need to be

accurate. Our firm may, but is not obligated to, verify the information that has been provided to us which will then be used in the advisory process.

It is essential that the client inform our firm of significant issues that may call for an update to their financial plan or investment portfolio. Events such as changes in employment or marital status, an unplanned windfall, etc., can have an impact on a client's circumstances and goals. Our firm needs to be aware of such events so that adjustments may be made as necessary.

### **Financial Planning Services**

Financial planning is an important part of our service offering. It helps us understand your financial needs and serves as a roadmap for your financial life. The incorporation of most or all of the following listed components allows not only a thorough analysis but also a refined focus of your plans so that the firm is able to assist you in reaching your goals and objectives.

#### ***Personal Retirement Planning***

Retirement planning services typically include projections of your likelihood of achieving your financial goals, with financial independence usually the primary objective. For situations where projections show less than the desired results, a recommendation may include showing you the impact on those projections by making changes in certain variables (i.e., working longer, saving more, spending less, taking more risk with investments). If you are near retirement or already retired, advice may be given on appropriate distribution strategies to minimize the likelihood of running out of money or having to adversely alter spending during your retirement years.

#### ***Risk Management***

A risk management review includes an analysis of your exposure to major risks that could have a significant adverse impact on your financial picture, such as premature death, disability, property and casualty losses, or the need for long-term care planning. Advice may be provided on ways to minimize such risks and about weighing the costs of purchasing insurance versus the benefits of doing so and, likewise, the potential cost of not purchasing insurance ("self-insuring").

#### ***Tax Planning Strategies***

Advice may include ways to minimize current and future income taxes as a part of your overall financial planning picture. For example, recommendations may be offered as to which type of account(s) or specific investments should be owned based in part on their "tax efficiency," with consideration that there is always a possibility of future changes to federal, state or local tax laws and rates that may impact your situation. For more detail on how Montoya Wealth partners with Montoya Tax, LLC to serve clients tax needs, see the "Tax Preparation Services" section on the next page.

#### ***Investment Consultation***

Investment consultation services often involve providing information on the types of investment vehicles available, employee retirement plans and/or stock options, investment analysis and strategies, asset selection and portfolio design, as well as limited assistance if your investment account is maintained at another broker/dealer or custodian. The strategies and types of investments that may be recommended are further discussed in Item 8 of this brochure.

#### ***Cash Flow Analysis and Debt Management***

A review of your income and expenses will be conducted to determine your current surplus or deficit. Based upon the results, we will provide advice on prioritizing how any surplus should be used, or how to reduce expenses if they exceed your income. In addition, advice on the prioritization of which debts to repay may be provided, based upon such factors as the debt's interest rate and any income tax ramifications.

Recommendations may also be made regarding the appropriate level of cash reserves for emergencies and other financial goals. These recommendations are based upon a review of cash accounts (such as money market funds) for such reserves and may include strategies to save desired reserve amounts.

#### *Employee Benefits*

A review is conducted and analysis is made as to whether you, as an employee, are taking maximum advantage of your employee benefits. We will also offer advice on your employer-sponsored retirement plan and/or stock options, along with other benefits that may be available to you.

As we complete components of your financial plan, we will present you with a summary of our recommendations, guide you in the implementation of some or all of them per your decision, as well as offer you periodic reviews thereafter. In all instances involving our financial planning engagements, our clients retain full discretion over all implementation decisions and are free to accept or reject any recommendation we make.

#### *Estate Planning*

Our review typically includes an analysis of your exposure to estate taxes and your current estate plan, which may include whether you have a will, powers of attorney, trusts and other related documents. We may assess ways to minimize or avoid future estate taxes by implementing appropriate estate planning strategies such as the use of applicable trusts. We generally recommend that you consult with a qualified attorney when you initiate, update, or complete estate planning activities. We may provide you with contact information for attorneys who specialize in estate planning when you wish to hire an attorney for such purposes. From time-to-time, we will participate in meetings or phone calls between you and your attorney with your prior approval. Through our partnership with Estate Guru and EncorEstate, we can coordinate the creation of estate planning documents, taking clients through the full process and assist in the preparation of a full set of non-complex estate planning documents (including a will, trust, trust certification document, general transfer document power of attorney, health care proxy, HIPAA release document and - if necessary - included property agreements and real estate deeds) for individuals and couples in most states. The preparation and delivery process is coordinated fully by our financial planner. A legal analysis of existing documents is also available for a low fee. More complex cases will not be handled using these partnerships and a referral may be made to an estate attorney able to handle the added complexity.

#### *Tax Preparation Services*

Mr. Montoya provides tax return preparation via Montoya Tax, LLC, principally for existing Montoya Wealth clients. This occurs via a separate fee which is charged according to complexity. Standard tax preparation includes the preparation of a client's federal and state returns along with basic schedules (where applicable). Clients with more complex returns, including, but not limited to, business income and expenses (Schedule C), rental properties (Schedule E), additional state returns, or those with a filing status of Married Filing Separately, may be subject to an additional fee or may be referred out.

#### **Portfolio Management Services**

We typically begin the portfolio management engagement by preparing investment guidelines reflecting your objectives, time horizon, tolerance for risk, as well as any reasonable account constraints you may have for the portfolio. For example, you have the right to exclude certain securities (e.g., options, stocks, etc.) at your discretion. These guidelines will be designed to be specific enough to provide future guidance while allowing flexibility to work with changing market conditions. We will then develop a customized portfolio based on your unique situation and investment guidelines. Your portfolio will employ our investment

strategy, and either a broad range or more narrowly focused choice of investment vehicles that are further discussed in Item 8 of this brochure. We manage portfolios on a discretionary or nondiscretionary basis (defined in Item 16). Note that it will remain your responsibility to promptly notify us if there is any change in your financial situation and/or investment objectives for the purpose of our reviewing, evaluating or revising previous account restrictions or firm investment recommendations.

In rare cases, we may recommend that you engage an institutional investment manager to serve your portfolio. Prior to recommending a sub-advisor or third-party investment manager, we will conduct what we believe to be an appropriate level of due diligence that includes ensuring the sub-advisor/third-party manager is appropriately registered or notice-filed within your state of residence. Clients may be required to maintain a minimum account size to be eligible for this service, and certain sub-advisors/third-party managers may require a higher asset-level to invest in their program. We will inform you in advance of each manager's minimum investment criteria. Under this type of engagement, we will gather input from you about your financial situation, investment objectives, reasonable restrictions you may want to impose on the management of the account, and we will then provide this information to the sub-advisor/third-party investment manager to develop your portfolio. Sub-advisors/third-party managers will invest on behalf of a client account in accordance with the strategies set forth in their own disclosure documents which will be provided to you by our firm prior to your employing these strategies. The selected sub-advisor/third-party investment manager assumes discretionary authority over an account, and some of these programs may not be available for those clients who prefer an account to be managed under a non-discretionary engagement or whom may have other unique account restrictions. At least annually thereafter a review will be performed from both a compliance and performance perspective to determine whether the selected sub-advisor/third-party investment manager remains an appropriate fit for your portfolio.

#### *Wrap Fee Programs*

Our firm does not sponsor or serve as a portfolio manager in an investment program involving wrapped (bundled) fees.

#### *Client Assets Under Management*

As of December 31, 2023, our firm had approximately \$47,845,000 in reportable client assets under its management<sup>1</sup> on a discretionary basis.

### **Item 5 - Fees and Compensation**

Forms of payment are based on the types of services being provided, term of service, etc., and will be stated in the engagement agreement. Our advisory fees may be reduced or waived at the discretion of our firm, to include fees for our associates and their family members.

Your advisory fees may be paid by check or draft from US-based financial institutions. With your prior written authorization, payment may also be made through the investment account held at your custodian of record. Our firm does not accept cash, money orders or similar forms of payment for its engagements.

#### **Portfolio Management Services**

##### *SIMPLE Plan Fees*

SIMPLE plans fees are based on a flat 1.00% of assets under management. The exact fees are determined by the value of the assets of individual account owners and calculated on the preceding quarter-end market

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<sup>1</sup> The term "assets under management" and rounding are as defined by the SEC's *General Instructions for Part 2 of Form ADV*.

value of the portfolio and multiplying that quotient by 1.00% (100 basis points) of account assets. The result is then divided by 4 to determine the quarterly fee for each account in the SIMPLE plan. SIMPLE plan employer sponsors may also pay an additional quarterly fee equal to \$250 minus the total quarterly fees paid by the plan to ensure they pay the plan minimum of \$1,000 per year.

#### *Individual Account Fees*

##### Blended fee schedule

For those portfolios that we manage at our custodian of record, at the beginning of each calendar quarter clients will pay our firm an asset-based fee based on an annualized rate as indicated in the following fee table. Our fee is progressive and is based upon a blended percentage of assets under management. The fee generally ranges from .40% to 1.0% annually depending on the total quarterly ending value of the client's managed accounts. **Note: We charge a maximum fee of \$25,000 and typically require a minimum fee of \$5,000.** In addition, for the benefit of discounting your asset-based fee, we will attempt to aggregate accounts for the same individual or two or more accounts within the same household.

The fee is determined by the value of account assets and calculated on the preceding quarter-end market value of the portfolio and multiplying that quotient by the applicable number of basis points set forth in the fee table below. The result is then divided by 4 to determine the quarterly fee.

**Fee Table**

| Assets under management    | Annual Fee (Max of \$25,000) |
|----------------------------|------------------------------|
| First \$1,000,000          | 1.00%                        |
| Next \$1,000,000           | .75%                         |
| Next \$2,000,000 and above | .4%                          |

This is a blended or progressive fee schedule. Therefore, each threshold of assets is charged the corresponding fee. For example, a client with four billed accounts valued at the end of a quarter at: \$563,247.20, \$788,953.25, and \$1,478,899.25 with a total quarterly household account value of \$2,831,099.70 would be charged as follows:

$$\begin{aligned} \$1,000,000 \times 1.00\% &= \$10,000.00 \\ \$1,000,000 \times .75\% &= \$7,500.00 \\ \$831,099.70 \times .40\% &= \underline{\$3,324.40} \\ \$20,324.40 / 4 &= \$5,081.09 \end{aligned}$$

Rounded to the nearest dollar, the client's quarterly fee is \$5,081.

##### Fixed income

For individual accounts that contain fixed income products such as bonds, bond funds, certificates of deposit, we may elect to charge .65% for that account in lieu of the progressive fee schedule.

The first billing cycle will begin once your engagement agreement is executed with our firm and assets have settled into your account held by the custodian of record. Advisory fees for partial quarters will be prorated based on the remaining days in the reporting period in which our firm services the account. Fee payments will generally be assessed within the first 15 calendar days of each billing cycle.

Our firm will concurrently send you and the custodian of record an invoice each billing period that describes the advisory fees to be deducted from the account at our firm's request. The invoice will include the total fee assessed, covered time period, calculation formula utilized, and reference to the assets under management in which the fee had been based. We encourage you to verify the accuracy of fee calculations;



the custodian may not verify the accuracy of advisory fee assessments for each account or on a consistent basis.

Your written authorization is required in order for the custodian of record to deduct advisory fees from your account. By signing our engagement agreement, as well as the custodian account opening documents, you will be authorizing the custodian to withdraw both advisory fees and any transactional fees from your account. The custodian will remit our fees directly to our firm. Fees deducted from your account will be noted on account statements that you will receive directly from your custodian of record.<sup>2</sup> On a limited basis, we may allow direct payment of our portfolio management fee in lieu of having the fee withdrawn from your investment account. Our valuation assessment will remain the same as described above, and your direct payment must be received by our firm within 15 calendar days of our invoice.

In the rare absence of a reportable market value, our firm may seek a third-party opinion from a recognized industry source (e.g., unaffiliated public accounting firm), and the client may choose to separately seek such an opinion at their own expense as to the valuation of “hard-to-price” securities if they believe it to be necessary.

### **Qualified Plan Consulting Fees**

Plan Sponsor will pay the advisor, as compensation for its services, a consulting fee at an annual rate of 0.35 - 1.00% of assets in the Plan including the value of any outstanding loans from the Plan to Participants. Small plans with limited assets may be charged a start-up fee. Both fees are negotiable. The advisor may act in a section 3(21) or 3(38) capacity. The consulting fee is payable quarterly based on the fair market value of assets in the plan at the end of each quarter. The consulting fee in the first quarter of the agreement term shall be prorated from the inception date to the end of the quarter. The advisor shall invoice the plan sponsor for the consulting fee. The plan sponsor may, at its election, submit invoices for this consulting fee to the custodian of the plan's assets for payment. The plan sponsor agrees to payment of these invoices, whether directly from the plan sponsor or from the plan's custodian, promptly, and, under normal circumstances, 10 days after the invoice is submitted. The plan sponsor may choose to authorize Montoya Wealth Management, the plan's custodian, or record keeper to directly deduct advisor fees from the plan's assets under management. In this case the advisor will notify the plan sponsor of the fees deducted via an invoice or other statement that provides details on transactions in the account, including the deduction of the advisor's fee. Fees are negotiable, and the plan sponsor and advisor may agree to a minimum monthly fee and/or a maximum monthly fee. All fees paid to Montoya Wealth Management for investment advisory services are separate and distinct from the expenses charged by mutual funds to their shareholders. These fees and expenses are described in each fund's prospectus. These fees will generally include a management fee and other fund expenses. At no time will Montoya Wealth Management accept or maintain custody of a client's funds or securities except for authorized fee deduction. Client is responsible for all custodial and securities execution fees charged by the custodian. The advisor's fee is separate and distinct from the custodian and execution fees. Some of Montoya Wealth Management's hourly and fixed fees are payable in advance. Upon termination, any fees paid in advance will be prorated to the date of termination and any excess will be refunded to the client. Neither Montoya Wealth Management nor its supervised persons accepts compensation for the sale of securities or other investment products, including asset-based sales charges or service fees from the sale of mutual funds.

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<sup>2</sup> Periodic account value variances between the firm's invoice and custodian statement (beyond the firm's control) may occur due to late trade settlement, dividend distribution, etc., requiring adjusted transaction reporting from the custodian of record.

### **Financial Planning Services**

In rare cases, the Firm may offer modular financial planning, standalone comprehensive financial planning, or subscription-based financial planning.

- **Modular Financial Planning:** A modular fixed fee project may be bid using an hourly rate mechanism and a specified number of hours estimated to complete the financial plan or module. Pricing for these services is based upon an hourly rate of \$250. Fixed fee-based clients are billed one half of the fee or \$500, whichever is less, at the time of signing the Agreement with the advisor and the other one half upon delivery of the financial plan to the client. If the advisor completes the financial plan or project in less time than originally planned, the advisor will reduce the original plan fee to reflect the unearned fee.
- **Standalone Comprehensive Financial Planning:** : A standard financial plan is priced at a fixed fee of \$2,500 to \$7,500 for approximately 10-30 hours of work. This work product includes an analysis of the following topic areas: personal financial statement & cash flow review, long term cash flow projections, retirement analysis, education need analysis, insurance & risk analysis, investment analysis, estate planning and charitable & gifting planning.
- **Financial Planning Monthly Subscription Service:** For this service, we charge an ongoing fixed fee that is payable monthly in advance. Our ongoing financial planning monthly subscription service is designed for clients with investable assets below \$300,000. The fee structure is between \$200/month and \$400/month depending on complexity with no long-term commitment. Clients paying this fee do not pay fees on assets under management. Payment is made through AdvicePay a third-party payment processor.

Legacy financial planning clients (signed before January 13, 2022 and SIMPLE IRA and 401k clients signed at any time): A certain amount of financial planning is included in our service for legacy investment clients based on their assets under management:

- Clients with assets up to \$50,000 and who are regularly contributing to their accounts may access up to two hours of planning per year.
- Clients with assets ranging from \$50,000 to \$300,000 may access up to four hours of planning per year.
- Clients with assets above \$300,000 may access comprehensive financial planning and follow-up on an unlimited basis.

### **Hourly Consulting Fees**

Some clients will contract to have investment advice, allocation, recommendations, financial planning or consulting advice provided based on an hourly fee rather than based on the assets under management. The advisor's hourly fee will be billed at a rate of \$300 per hour and will be negotiated and agreed upon by the parties in advance. Hourly fee-based clients are billed one half of the fee at the time of signing the agreement with the advisor and the other one half upon delivery of the financial plan or written report to the client.

### **Educational Workshops**

Workshops sessions are complimentary; no fee is assessed. Occasionally, a member of the firm may choose to offer classes through Yavapai College's Community Education program. Yavapai College assesses tuition for these offerings.

### **Additional Client Fees**

Any transactional or service fees (sometimes termed *brokerage fees*), individual retirement account fees, qualified retirement plan fees, account termination fees, or wire transfer fees will be borne by the account holder and per the separate fee schedule from their custodian of record. We will ensure that our clients receive a copy of our preferred custodian's fee schedule at the beginning of the engagement, and the client will be notified of any future changes to these fees by the custodian of record and/or third-party administrator for tax-qualified plans. Advisory fees paid by our clients to our firm for our services are separate from any of these fees or other similar charges.

Per annum interest at the current statutory rate based on the state in which the client resides may be assessed on fee balances due more than 30 days, and we may refer past due accounts to collections or legal counsel for processing. We reserve the right to suspend some or all services once an account is deemed past due.

Additional information about our fees in relationship to our brokerage and operational practices are noted in Items 12 and 14 of this document.

### **External Compensation Involving the Sale of Securities**

Our firm does not charge or receive a commission or a mark-up on securities transactions, nor will the firm or an associate be paid a commission on the purchase of a securities holding that is recommended to a client. We do not receive "trailer" or SEC Rule 12b-1 fees from an investment company that may be recommended to a client. Fees charged by such issuers are detailed in prospectuses or product descriptions and interested investors are always encouraged to read these documents before investing.

You retain the right to purchase recommended or similar investments through their own service provider. Please note that many institutional investment managers do not make themselves directly available to the public.

### **Termination of Services**

Either party has the right to terminate the engagement agreement at any time by communicating the intent to terminate in writing to the other party. The effective date of the termination shall be the date the termination is received by the other party, unless the termination states a later date, in which case the later date specified by the party which is terminating shall be the effective date. Our firm will not be responsible for investment allocation, advice or transactional services, except limited closing transactions, after the effective date of termination. Upon termination, it will be necessary that our firm inform the custodian of record that the relationship between the firm and the client has been terminated.

If a client did not receive our Form ADV Part 2 brochure at least 48 hours prior to entering into the firm's agreement, then that client will have the right to terminate the engagement without fee or penalty within five business days after entering into the agreement. If a portfolio management services client terminates their agreement after the five-day period, that client will be assessed fees on a prorated basis for services incurred from either (i) as a new client, the date of the engagement to the date of the firm's receipt of the written notice of termination, or (ii) all other accounts, the last billing period to the date of the firm's physical or constructive receipt of written termination notice.

Our firm will return any prepaid, unearned fees within 30 days of the firm's receipt of written termination notice. Our return of payment to a client for our planning services will be completed via check from our firm's US-based financial institution, and we will coordinate remuneration of any asset-based fees to the

account holder's investment account via their custodian of record. The return of advisory fees will never involve a personal check, cash or money order from our firm or from an associate of our firm.

## **Item 6 – Performance-Based Fees or Side-By-Side Management**

Our advisory fees will not be based on a share of capital gains or capital appreciation (growth) of any portion of managed funds, also known as performance-based fees. Our fees will also not be based on side-by-side management, which refers to a firm simultaneously managing accounts that do pay performance-based fees (such as a hedge fund) and those that do not.

## **Item 7 - Types of Clients**

Our current client-base consists of individuals, and high-net-worth individuals. We do not require minimum income, asset levels or other similar preconditions for most of our services. We will inform clients in advance if any sub-advisor or third-party investment manager requires minimum investible assets.

We reserve the right to waive or reduce certain fees based on unique individual circumstances, special arrangements or preexisting relationships. We also reserve the right to decline services to any prospective client for any nondiscriminatory reason.

## **Item 8 - Methods of Analysis, Investment Strategies and Risk of Loss**

### **Methods of Analysis**

We employ what we believe to be an appropriate blend of fundamental, charting, technical, and cyclical analyses. For example, fundamental analysis may involve evaluating economic factors including interest rates, the current state of the economy, or the future growth of an industry sector. Technical and cyclical analysis may involve studying the historical patterns and trends of securities, markets, or economies as a whole in an effort to determine potential future behaviors, the estimation of price movement, and an evaluation of a transaction before entry into the market in terms of risk and profit potential. The resulting data may then be applied to graphing charts, which is then used to assist in the prediction of future price movements based on price patterns and trends. Our research is often drawn from sources that include:

- financial periodicals and reference materials
- company press releases
- corporate rating services
- inspections of corporate activities
- annual reports, prospectuses and regulatory filings

### **Investment Strategies**

We recognize that each client's needs and goals are different; subsequently, portfolio strategies and underlying investment vehicles may vary. The firm may employ active asset management, core + satellite and/or value investing strategies in order to seek growth while concurrently managing risk through appropriate asset allocation. The following defines the common strategies utilized within a client's portfolio, *in order of frequency of use*:

#### *Passive Asset Management*

A portfolio manager engaging in a passive asset management strategy believes that it is not typically possible to create long-term profits from identifying or leveraging mispriced securities, or producing similar

returns with less risk, or producing returns greater than a stated benchmark, such as a well-known index. Historically, index portfolios broadly allocated across financial sectors have always increased in value.

#### *Core + Satellite Investing*

This strategy blends passive (or index) and active investing, where passive investments are used as the basis or the “core” of a portfolio and, actively-managed investments are added as “satellite” positions. With this strategy, the portfolio core holdings are indexed to potentially more efficient asset classes, while outlying selections are generally limited to active holdings in an attempt to outperform a particular category (sector), or a selection of particular positions to increase core diversification, or to improve portfolio performance. For example, the core of a portfolio may be built with low-cost index funds or ETFs; satellite holdings would be active investments with unique strategies that are believed capable of adding value beyond a stated benchmark over a full market cycle.

#### *Value Investing*

Value investing involves buying above-average positions (holdings) at below-average prices. Conversely, when a holding is considered over-priced, it becomes a candidate to be sold.

Our recommended portfolios contain investment vehicles that are globally diversified, tax-efficient and low-cost whenever practical. It is common to find a broad range of mutual funds or ETFs within a portfolio, as well as individual equities and fixed income (stocks and bonds).

#### **Risk of Loss**

Our firm believes its strategies and investment recommendations are designed to produce the appropriate potential return for the given level of risk; however, there is no guarantee that a planning goal or investment objective will be achieved.

Past performance is not necessarily indicative of future results.

Investing in securities involves risk of loss that clients should be prepared to bear. We have offered examples of such risk in the following paragraphs, and we believe it is important that our clients review and consider each of the risks prior to investing.

The following areas of risk are presented in alphabetical order:

#### *Active Management Risk*

A portfolio that employs active management strategies may outperform or underperform various benchmarks or other strategies. In an effort to meet or surpass these benchmarks, active portfolio management may require more frequent trading or “turnover.” This may result in shorter holding periods, higher transactional costs and/or taxable events generally borne by the client, thereby potentially reducing or negating certain benefits of active asset management.

#### *Charting and Technical Analyses Risk*

The risk of investing based on technical analyses and their supporting charts is that they may not consistently predict a future price movement; the current price of a security may reflect all known information. Further, a particular change in the market price of a security may follow a random pattern and may not be as predictable as desired. This may occur due to analyst bias or misinterpretation, a sector analysis error, late recognition of a trend, etc.

### *Company Risk*

When investing in securities, such as stocks, there is always a certain level of company or industry-specific risk that is inherent in each company or issuer. There is the risk that the company will perform poorly or have its value reduced based on factors specific to the company or its industry. This is also referred to as *unsystematic risk* and can be reduced or mitigated through diversification.

### *Core + Satellite Investing Risk*

Strategies involving Core + Satellite investing may have the potential to be affected by “active risk” (or “tracking error risk”), which might be defined as a deviation from a stated benchmark. Since the core portfolio attempts to closely replicate a stated benchmark, the source of the tracking error or deviation may come from a satellite portfolio or position, or from a “sample” or “optimized” index fund or ETF that may not as closely align the stated benchmark.

### *Cyclical Analysis Risk*

Cyclical analysis (form of technical analysis) may experience risk due to an economic cycle that may not be as predictable as preferred; many fluctuations may occur between long term expansions and contractions. The length of an economic cycle may be difficult to predict with accuracy and therefore the risk of cyclical analyses is the difficulty in predicting economic trends. Consequently, the changing value of securities is affected.

### *Equity (Stock) Risk*

Common stocks are susceptible to general stock market fluctuations and to volatile increases or decreases in value as market confidence in and perceptions of their issuers change. If an investor held common stock or common stock equivalents of any given issuer, they may be exposed to greater risk than if they held preferred stocks and debt obligations of the issuer.

### *ETF and Mutual Fund Risks*

The risk of owning ETFs and mutual funds reflect their underlying securities (e.g., stocks, bonds, derivatives, etc.). These forms of securities typically carry additional expenses based on their share of operating expenses and certain brokerage fees, which may result in the potential duplication of certain fees. Certain ETFs and indexed funds have the potential to be affected by “active risk;” a deviation from its stated index (e.g., S&P 500). We do not recommend leveraged or inverse ETFs due to their inherent heightened risk.

While many ETFs and index mutual funds are known for their potential tax-efficiency and higher “qualified dividend income” (QDI) percentages, there are asset classes within these investment vehicles or holding periods within that may not benefit. Shorter holding periods, as well as commodities and currencies (that may be a holding within an ETF or mutual fund), may be considered “non-qualified” under certain tax code provisions. A holding’s QDI will be considered when tax-efficiency is an important aspect of the client’s portfolio.

### *Financial Risk*

Excessive borrowing to finance a business operation increases profitability risk because the company must meet the terms of its obligations in good times and bad. During periods of financial stress, the inability to meet loan obligations may result in bankruptcy and/or a declining market value.

### *Fixed Income Risks*

Various forms of fixed income instruments, such as bonds, money market or bond funds may be affected by various forms of risk, including:

- *Credit Risk* - The potential risk that an issuer would be unable to pay scheduled interest or repay principal at maturity, sometimes referred to as “default risk.” Credit risk may also occur when an issuer’s ability to make payments of principal and interest when due is interrupted. This may result in a negative impact on all forms of debt instruments, as well as funds or ETF share values that hold these issues. Bondholders are creditors of an issuer and have priority to assets before equity holders (i.e., stockholders) when receiving a payout from liquidation or restructuring. When defaults occur due to bankruptcy, the type of bond held will determine seniority of payment.
- *Interest Rate Risk* - The risk that the value of the fixed income holding will decrease because of an increase in interest rates.
- *Liquidity Risk* - The inability to readily buy or sell an investment for a price close to the true underlying value of the asset due to a lack of buyers or sellers. While certain types of fixed income are generally liquid (i.e., bonds), there are risks which may occur such as when an issue trading in any given period does not readily support buys and sells at an efficient price. Conversely, when trading volume is high, there is also a risk of not being able to purchase a particular issue at the desired price.
- *Reinvestment Risk* - With declining interest rates, investors may have to reinvest interest income or principal at a lower rate.

#### *Fundamental Analysis Risk*

The challenge involving fundamental analyses is that information obtained may be incorrect; the analysis may not provide an accurate estimate of earnings, which may be the basis for a security’s value. If a security’s price adjusts rapidly to new information, a fundamental analysis may result in unfavorable performance.

#### *Inflation Risk*

Also called *purchasing power risk*, is the chance that the cash flows from an investment won’t be worth as much in the future because of changes in purchasing power due to inflation.

#### *Market Risk*

This is also called systematic risk. In cases where markets are under extreme duress, many securities lose their ability to provide diversification benefits. This is called systemic risk.

#### *Passive Investment Risk*

A portfolio that employs a passive, efficient markets approach has the risk of generating lower-than-expected returns due to its broad diversification when compared to a portfolio more narrowly focused.

#### *Political Risk*

The risk of financial and market loss because of political decisions or disruptions in a particular country or region, and may also be known as “geopolitical risk.”

#### *Research Data Risk*

When research and analyses are based on commercially available software, rating services, general market and financial information, or due diligence reviews, a firm is relying on the accuracy and validity of the information or capabilities provided by selected vendors, rating services, market data, and the issuers themselves. While our firm makes every effort to determine the accuracy of the information received, we cannot predict the outcome of events or actions taken or not taken, or the validity of all information

researched or provided which may or may not affect the advice on or investment management of an account.

#### *Value Investment Risk*

A portfolio employing a value-based investing strategy could be adversely affected by inaccurate or flawed financial information or statements. For example, a company may have accidentally (or fraudulently) erred while entering data into its financial statements, or inadequately defines its earnings, resulting in a faulty valuation of its stock. Other examples might involve a “value manager” overpaying for a holding, or missing the timing of a buy or sell of a position, making it a less valuable aspect of the portfolio.

### **Item 9 - Disciplinary Information**

Neither the firm nor its management has been involved in a material criminal or civil action in a domestic, foreign or military jurisdiction, an administrative enforcement action, or self-regulatory organization proceeding.

### **Item 10 - Other Financial Industry Activities and Affiliations**

Firm policies require associated persons to conduct business activities in a manner that avoids conflicts of interest between the firm and its clients, or that may be contrary to law. Montoya Wealth Management will provide disclosure to clients prior to and throughout the term of an engagement regarding any conflicts of interest involving its business relationships that might reasonably compromise its impartiality or independence.

Our advisory firm and its management are not registered nor have an application pending to register as a Financial Industry Regulatory Authority (FINRA) or National Futures Association (NFA) member firm or associated person of such a firm, nor are we required to be registered with such entities. Neither our firm nor its management is or has a material relationship with any of the following types of entities:

- accountant or accounting firm
- other financial planning firms
- bank, credit union or thrift institution, or their separately identifiable department or division
- insurance company or agency
- lawyer or law firm
- pension consultant (other than our own services)
- real estate broker, dealer or advisor
- sponsor or syndicator of limited partnerships
- trust company
- issuer of a security, to include investment company or other pooled investment vehicle (including a mutual fund, closed-end investment company, unit investment trust, private investment company or “hedge fund,” and offshore fund)

### **Item 11 - Code of Ethics, Participation or Interest in Client Transactions and Personal Trading**

Montoya Wealth Management holds itself to a *fiduciary standard*, which means the firm and its associates will act in the utmost good faith, performing in a manner believed to be in the best interest of its clients. Our firm believes that business methodologies, ethics rules, and adopted policies are designed to eliminate or at least minimize material conflicts of interest and to appropriately manage any material conflicts of interest



that may remain. We will disclose to our clients any material conflict of interest relating to the firm, its representatives, or any of its employees which could reasonably be expected to impair the rendering of unbiased and objective advice.

### **Code of Ethics**

We have adopted a Code of Ethics that establishes policies for ethical conduct for our personnel. Our firm accepts the obligation to comply with applicable laws and regulations as well as act in an ethical and professionally responsible manner in all professional services and activities. Firm policies include prohibitions against insider trading, circulation of industry rumors, and certain political contributions, among others. Montoya Wealth Management periodically reviews and amends its Code of Ethics to ensure that it remains current, and requires firm personnel to annually attest to their understanding of and adherence to the firm's Code of Ethics. A copy of the firm's Code of Ethics is made available to any client or prospective client upon request.

### **Statement Regarding our Privacy Policy**

We respect the privacy of all clients and prospective clients (collectively termed "customers" per privacy regulations), both past and present. It is recognized that our clients have entrusted our firm with non-public personal information and it is important that both access persons and customers are aware of firm policy concerning what may be done with that information. The firm collects personal information about customers from the following sources:

- Information customers provide to complete their financial plan or investment recommendation;
- Information customers provide in engagement agreements and other documents completed in connection with the opening and maintenance of an account;
- Information customers provide verbally; and
- Information received from service providers, such as custodians, about customer transactions.

The firm does not disclose non-public personal information about our customers to anyone, except in the following circumstances:

- When required to provide services our customers have requested;
- When our customers have specifically authorized us to do so;
- When required during the course of a firm assessment (i.e., independent audit); or
- When permitted or required by law (i.e., periodic regulatory examination).

To ensure security and confidentiality, the firm maintains physical, electronic, and procedural safeguards to protect the privacy of customer information.

Within the firm, access to customer information is restricted to personnel that need to know that information. All access persons and service providers understand that everything handled in firm offices are confidential and they are instructed not to discuss customer information with someone else that may request information about an account unless they are specifically authorized in writing by the customer to do so. This includes providing information about a spouse's or parent's account.

Our firm will provide clients with its privacy policy on an annual basis and at any time, in advance, if firm privacy policies are expected to change.

### **Firm Recommendations and Conflicts of Interest**

Neither the firm nor an associate is authorized to recommend to a client, or effect a transaction for a client, involving any security in which the firm or a "related person" (e.g., associate, an immediate family member,

etc.) has a material financial interest, such as in the capacity as a board member, underwriter or advisor to an issuer of securities, etc.

An associate is prohibited from borrowing from or lending to a client unless the client is an approved financial lending institution.

The firm remains focused on ensuring that its offerings are based upon the needs of its clients, not resultant fees received for such services. We want to note that you have the right to reject a recommendation from our firm, and you have the right to complete a service or transaction through our firm or a service provider of your choice.

Montoya Wealth Management does not trade for its own account (e.g., proprietary trading). The firm's related persons may buy or sell securities that are the same as, similar to, or different from, those recommended to clients for their accounts, and this poses a conflict of interest. We mitigate this conflict by ensuring that we have policies and procedures in place to ensure that the firm or a related person will not receive preferential treatment over a client. In an effort to reduce or eliminate certain conflicts of interest involving personal trading (i.e., trading ahead of client recommendation, etc.), firm policy may require that we periodically restrict or prohibit related parties' transactions. Any exceptions must be approved in writing by our Chief Compliance Officer, and personal trading accounts are reviewed on a quarterly or more frequent basis. Please refer to Item 6 of the accompanying Form ADV Part 2B for further details.

## **Item 12 - Brokerage Practices**

### **Factors Used to Select Broker/Dealers for Client Transactions**

Client accounts must be maintained by a qualified custodian (generally a broker/dealer, bank or trust company) that is frequently reviewed for its capabilities to serve in that capacity by their respective industry regulatory authority. Our firm is not a custodian nor is there an affiliate that is a custodian.

When we are engaged to provide an investment consultation via a financial planning service component, we may recommend that a client retain the provider with whom client assets are currently maintained. If a client prefers a new service provider, a recommendation made by our firm would be based on client need, in addition to overall costs and ease of use of that provider.

Accounts served by a third-party investment manager are to be maintained at one or more custodians that have been selected by the respective third-party investment manager and they will be disclosed in the third-party investment manager's disclosure documents and account opening forms.

We have entered into an agreement with Charles Schwab & Co., Inc. ("Schwab") to serve as custodian of record for our clients. Schwab is a FINRA and SIPC member,<sup>3</sup> as well as an SEC-registered broker/dealer. While we recommend that you use Schwab as custodian, you must decide whether to do so, and you will open the account by entering into an account agreement directly with Schwab. We do not technically open the account for you, but we will assist you in doing so. If you do not wish to place your account assets with Schwab, we may be able to manage the account at your preferred custodian depending on that custodian's account trading policies.

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<sup>3</sup> Our advisory firm is not, nor required to be, a Securities Investor Protection Corporation (SIPC) member. Clients may learn more about the SIPC and how it serves member firms and the investing public by going to their website at <http://www.sipc.org>.

### **Best Execution**

"Best execution" means the most favorable terms for a transaction based on all relevant factors, including those listed in the earlier paragraphs and in Item 14. We recognize our obligation in seeking best execution for our clients; however, it is our belief that the determinative factor is not always the lowest possible cost but whether the selected custodian's transactions represent the best "qualitative execution" while taking into consideration the full range of services provided. Our firm will seek services involving competitive rates but it may not necessarily correlate into the lowest possible rate for each transaction. We have determined having our portfolio management clients' accounts trades completed through our recommended custodian is consistent with our obligation to seek best execution of client trades. A review is regularly conducted with regard to recommending a custodian to our clients in light of our duty to seek best execution.

### **Directed Brokerage**

Our internal policy and operational relationship with our custodian requires client accounts custodied with them to have trades executed per their order routing requirements. We do not direct which executing broker should be selected for client account trades; whether that is an affiliate of our preferred custodian or another executing broker of our custodian's choice. As a result, the client may pay higher commissions or other transaction costs, experience greater spreads, or receive less favorable net prices on transactions than might otherwise be the case. In addition, since we routinely recommend a custodian to our advisory clients, and that custodian may choose to use the execution services of its broker affiliate for some or all of our client account transactions, there is an inherent conflict of interest involving our recommendation since our advisory firm receives various products or services described in Item 14 from that custodian. Note that we are not compensated for trade routing/order flow, nor are we paid commissions on such trades. We do not receive interest on an account's cash balance.

Client accounts maintained at our custodian are unable to direct brokerage. As a result, they may pay higher commissions or other transaction costs, potentially experience greater spreads, or receive less favorable net prices on transactions for their account than would otherwise be the case if they had the opportunity to direct brokerage.

For accounts maintained at a custodian of the client's choice (e.g., held-away accounts), the client may choose to request that a particular broker is used to execute some or all account transactions. Under these circumstances, the client will be responsible for negotiating, in advance of each trade, the terms and/or arrangements involving their account with that broker, and whether the selected broker is affiliated with their custodian of record or not. We will not be obligated to seek better execution services or prices from these other brokers, and we will be unable to aggregate transactions for execution via our custodian with other orders for accounts managed by our firm. Subsequently, that client may pay higher commissions or other transaction costs, potentially experience greater spreads, or receive less favorable net prices on transactions for their account than would otherwise be the case.

### **Aggregating Securities Transactions**

Trade aggregation involves the purchase or sale of the same security for several clients/accounts at approximately the same time. This may also be termed "blocked" or "batched" orders. Aggregated orders are effected in an attempt to obtain better execution, negotiate favorable transaction rates, or to allocate equitably among multiple client accounts should there be differences in prices, brokerage commissions or other transactional costs that might otherwise be unobtainable through separately placed orders. Our firm may, but is not obligated, to aggregate orders, and our firm does not receive additional compensation or remuneration as a result of aggregated transactions.

Transaction charges and/or prices may vary due to account size and/or method of receipt. To the extent that the firm determines to aggregate client orders for the purchase or sale of securities, including securities in

which a related person may invest, the firm will generally do so in accordance with the parameters set forth in SEC No-Action Letter, *SMC Capital, Inc.*, or similar guidance if the jurisdiction in which the client resides provides such direction.

Please note that when trade aggregation is not allowed or infeasible and necessitates individual transactions (e.g., withdrawal or liquidation requests, odd-lot trades, non-discretionary accounts, etc.), an account may potentially be assessed higher costs or less favorable prices than those where aggregation has occurred.

We review firm trading processes on a periodic basis to ensure they remain within stated policies and regulation. Our clients will be informed, in advance, should trading practices change at any point in the future.

#### **Trade Errors**

The firm corrects its trade errors through an account maintained by our custodian, and the firm may be responsible for certain trading error losses that occur within a client account. Clients should be aware that trading gains in accounts maintained at Charles Schwab are swept to a designated account and donated to a 501(c)(3) charity of Charles Schwab's choice, and Charles Schwab will be obligated to disclose in their own literature to account holders whether such recipients' receipt of such donations presents a material conflict of interest.

#### **Client Referrals from Custodians**

We do not receive referrals from our preferred custodian, nor are client referrals a factor in our selection of a custodian.

### **Item 13 - Review of Accounts**

#### **Scheduled Reviews**

Client financial check-ups or reviews are recommended on an annual basis if a client receives our financial planning services. Reviews will be conducted by Brandon Montoya and typically involve analysis and possible revision of your previous financial plan or investment allocation. A copy of revised plans or asset allocation reports will be provided to the client upon request. Unless provided for in the engagement agreement, such as our retainer service, reviews are generally conducted under a new or amended agreement and will be assessed at our current fee rate.

For those accounts served by a recommended third-party investment manager, Mr. Montoya will periodically review reports provided to you by your third-party investment manager. The firm will contact you at least annually to review your financial situation and objectives. We will communicate information to your third-party investment manager as warranted and assist you in understanding and evaluating the services provided by the third-party manager. In certain instances, you may be able to communicate directly with your selected third-party investment manager but we ask that you coordinate the session through our firm.

Portfolios that we manage internally are reviewed on a quarterly or more frequent basis by Brandon Montoya. Client-level reviews are also completed by Mr. Montoya, and we recommend that they occur on at least an annual basis. A copy of a revised investment guideline or asset allocation reports will be provided to the client upon request.

#### **Unscheduled Reviews**

You should contact our firm for additional reviews if you anticipate or have experienced changes in your financial situation (e.g., changes in employment, an inheritance, the birth of a new child, etc.), or if you prefer to change requirements involving an investment account. Non-periodic reviews are conducted by

Brandon Montoya under a new or amended agreement, and fees may be assessed at our published rate. A copy of revised plans or asset allocation reports will be provided to a client upon request.

Additional portfolio reviews by your portfolio manager or Mr. Montoya may be triggered by news or research related to a specific holding, a change in our view of the investment merits of a holding, or news related to the macroeconomic climate affecting a sector or holding within that sector. A portfolio may be reviewed for an additional holding or when an increase in a current position is under consideration. Account cash levels above or below what we deem appropriate for the investment environment, given the client's stated tolerance for risk and investment objectives, may also trigger a review.

### **Client Reports**

Whether you have opened and maintained an investment account on your own or with our assistance, you will receive account statements sent directly from mutual fund companies, transfer agents, custodians or brokerage companies where your investments are held. We urge each client to carefully review these account statements for accuracy and clarity, and to ask questions when something is not clear.

Our firm will produce written performance reports upon client request that are calculated using a time-weighted methodology and are reviewed for accuracy by Brandon Montoya prior to delivery. The reports are intended to inform clients about their investment performance over the current period, as well as over the longer term since the account's inception. Clients are urged to carefully review and compare account statements that they have received directly from their custodian of record with any report they may receive from our firm or any other source that contains account performance information.

### **Item 14 - Client Referrals and Other Compensation**

As disclosed in Item 12, our firm receives economic benefit from Charles Schwab in the form of various products and services they make available to our firm and other independent investment advisors that may not be made available to a "retail investor." There is no direct link between our firm's participation in their program and the investment advice we may provide to our clients. These benefits may include the following products and services (provided either without cost or at a discount):

- receipt of duplicate client statements and confirmations
- research related products and tools
- access to trading desks serving our clients
- access to block trading services
- the ability to have advisory fees deducted directly from a client's accounts (per written agreement)
- resource information related to capital markets and various investments
- access to an electronic communications networks for client order entry and account information
- access to mutual funds with no transaction fees and/or select investment managers
- discounts on marketing, research, technology, and practice management products or services provided to our firm by third-party providers

Some of the noted products and services made available by Charles Schwab may benefit our advisory firm but may not directly benefit a client account, and certain research and other previously referenced services may qualify as "brokerage or research services" under Section 28(e) of the Securities Exchange Act of 1934. The availability of these services from Charles Schwab benefits our firm because it does not have to produce or purchase them as long as firm clients maintain assets in accounts at Charles Schwab. There is a conflict of interest since our firm has an incentive to select or recommend a custodian based on our firm's interest in receiving these benefits rather than your interest in receiving favorable trade execution. It is important to mention that the benefit received by our firm through participation in any custodian's program does not

depend on the amount of brokerage transactions directed to that custodian, and our selection of a custodian is primarily supported by the scope, quality, and cost of services provided as a whole -- not just those services that benefit only our advisory firm. Further, we will act in the best interest of our clients regardless of the custodian we may select.

Per Items 4 and 5 of this brochure, for our initial and continuing consultation we receive a portion of the asset-based fee that is paid by a client to a third-party investment manager. Please refer to Items 10 and 12 for additional information with respect to our offerings and the potential conflict of interest they may present.

We do not engage in solicitation activities involving unregistered persons. If we receive or offer an introduction to a client, we do not pay or earn a referral fee, nor are there established *quid pro quo* arrangements. Each client has the right to accept or deny such referral or subsequent services.

### **Item 15 - Custody**

Our clients' assets will be maintained by an unaffiliated, qualified custodian, such as a bank, broker/dealer, trust company, mutual fund companies or transfer agent. Assets are not held by our firm or any associate of our firm. In keeping with this policy involving our client funds or securities, our firm:

- Restricts the firm or an associate from serving as trustee or having general power of attorney over a client account;
- Prohibits any associate from having authority to directly withdraw securities or cash assets from a client account. Although we may be deemed to have custody of an account since we may request the withdrawal of advisory fees from your account, we will only do so through the engagement of a qualified custodian maintaining client assets, via the client's prior written approval, and following delivery of our invoice;
- Does not accept or forward client securities (i.e., stock certificates) erroneously delivered to our firm;
- Will not collect advance fees of \$500 or more for services that are to be performed six months or more into the future; and
- Will not authorize an associate to have knowledge of a client's account access information (i.e., online 401(k), brokerage or bank accounts) if such access would allow physical control over account assets.

The custodian of record will provide you with your investment account transaction confirmations and statements, which will include debits and credits as well as our firm's advisory fee for that period. Account statements are provided on at least a quarterly basis or as transactions occur within the account. Montoya Wealth Management will not create an account statement for a client or serve as the sole recipient of an account statement.

As a reminder, if you receive a report from any source that includes investment performance information, you are urged to carefully review and compare that report with your account statement that you receive directly from your custodian.

### **Item 16 - Investment Discretion**

We typically serve accounts on a *discretionary* basis. Via a limited power of attorney, discretionary authority allows our firm to implement investment decisions, such as the purchase or sale of a security on behalf of an account, without requiring a client's prior authorization for each transaction in order to meet stated

investment objectives. This authority will be granted by you through the execution of both our engagement agreement and the selected custodian's account opening documents. Note that the custodian will specifically limit our firm's authority within an account to the placement of trade orders and our request for the deduction of our advisory fees.

Our firm prefers to not manage client accounts on a *nondiscretionary basis* but we may accommodate such requests on a case-by-case basis. Such account authority requires a client's ongoing prior approval involving the investment and reinvestment of account assets, portfolio rebalancing, or for our firm to give instructions to the custodian maintaining the account (i.e., wire instructions, etc.). You would be required to execute our firm's client agreement that describes our account authority, as well as the custodian of record's account opening document that includes their limited power of attorney form or clause. Please note that in light of the requirement for pre-approval, you remain available to speak with us and keep our firm updated on your contact information so that instructions can be efficiently effected on your behalf.

As noted in Item 4, we will allow for reasonable restrictions that we will note in your written investment guidelines involving the management of an account. It remains each client's responsibility to notify us if there is any change in their situation and/or investment objective so that we may reevaluate previous investment recommendations or portfolio holdings.

Third-party investment managers generally provide their services on a discretionary basis as described above. If you require your account be managed on a nondiscretionary basis, you should be aware that most third-party investment managers retain the right to either refuse or terminate an account, or continue to manage the account under a higher asset-based fee due to increased operational costs. We will inform you in advance of the recommended third-party manager's requirements involving investment authority. Note that we do not have discretionary authority over a client account under this form of advisory engagement.

## **Item 17 - Voting Client Securities**

Account holders of record may periodically receive proxies or other similar solicitations sent directly from their custodian or transfer agent. Should we receive a duplicate copy, note that we do not forward these or any correspondence relating to the voting of your securities, class action litigation, or other corporate actions.

Our firm does not vote proxies on behalf of an account holder, including accounts that we have discretionary authority. We do not offer guidance on how to vote proxies, nor will we offer guidance involving any claim or potential claim in any bankruptcy proceeding, class action securities litigation or other litigation or proceeding relating to securities held at any time in a client account, including, without limitation, to file proofs of claim or other documents related to such proceeding, or to investigate, initiate, supervise or monitor class action or other litigation involving client assets. We will answer limited questions with respect to what a proxy voting request or other corporate matter may be and how to reach the issuer or their legal representative.

If your account is supervised by a third-party investment manager, you should review the third-party investment manager's Form ADV Part 2 to determine their proxy voting policies. Otherwise, you will maintain exclusive responsibility for directing the manner in which proxies solicited by issuers of securities that are beneficially owned by you shall be voted, as well as making all other elections relative to mergers, acquisitions, tender offers or other legal matters or events pertaining to your holdings. You should consider contacting the issuer or your legal counsel involving specific questions you may have with respect to a particular proxy solicitation or corporate action.

## **Item 18 - Financial Information**

Our advisory firm will not take physical custody of client assets, nor do we have the type of account authority to have such control. Fee withdrawals must be done through a qualified intermediary (e.g., custodian of record), per prior written agreement with the client, and following the client's receipt of our firm's invoice.

Engagements with our firm do not require that we collect fees from a client of \$500 or more for our advisory services that we have agreed to perform six months or more into the future.

Neither our firm nor its management serve as general partner for a partnership or trustee for a trust in which the firm's advisory clients are either partners of the partnership or beneficiaries of the trust.

The firm and its management do not have a financial condition likely to impair their ability to meet commitments to clients. The firm has not been the subject of a bankruptcy petition.

Due to the nature of our firm's advisory services and operational practices, an audited balance sheet is not required nor included in this brochure.

## **Item 19 - Requirements for State-Registered Advisors**

For further information involving firm principal executive and management personnel, their business activities as well as material conflicts of interest, please refer to areas previously disclosed in Items 6 and 9 through 11, as well as the accompanying Form ADV Part 2B brochure supplement that immediately follows this page. Per Item 10 of this brochure, neither the firm nor a member of its management has a material relationship with the issuer of a security.



# Form ADV Part 2B: Brochure Supplement (Principal Executive)

## Item 1 – Cover Page



Registered Investment Advisor  
CRD # 285039

Montoya Wealth Management Group LLC  
2069 Willow Creek Road  
Prescott, AZ 86301

Tel: (928) 460-0972  
[www.montoyawealth.com](http://www.montoyawealth.com)

**Brandon J. Montoya, APMA®**

President

Investment Adviser Representative/Chief Compliance Officer  
Managing Member  
[CRD # 6155790]

Form ADV Part 2B  
Brochure Supplement  
March 28, 2024

This brochure provides information about Brandon J. Montoya that supplements the Montoya Wealth Management Group LLC Form ADV Part 2A firm brochure. You should have received a copy of that brochure. Please contact our Chief Compliance Officer, Brandon Montoya, at (928) 460-0972 if you did not receive the full brochure or if you have any questions about the contents of this supplement. Additional information about Brandon J. Montoya is available on the Securities and Exchange Commission's (SEC) website at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov) under CRD # 6155790.

## Item 2 - Educational Background and Business Experience

Regulatory guidance requires the firm to disclose relevant post-secondary education and professional training for each principal executive and associate of the firm, as well as their business experience for at least the most recent five years.

**Brandon Joe Montoya**

***Principal Executive Officer and Management Person***

*President/Investment Advisor Representative/Managing Member/ Chief Compliance Officer*

Year of Birth: 1984 / CRD Number: 6155790

*Educational Background*

Attended Yavapai College; Prescott, AZ

Uniform Combined State Law Examination/NASAA Series 66<sup>4</sup>

*Professional Designations*

**Enrolled Agent, 2021**

An enrolled agent is a person who has earned the privilege of representing taxpayers before the Internal Revenue Service by either passing a three-part comprehensive IRS test covering individual and business tax returns, or through experience as a former IRS employee.

**Accredited Portfolio Management Advisor, APMA<sup>®</sup>, 2020**

Accredited Portfolio Management Advisor<sup>SM</sup> or APMA<sup>®</sup> is a graduate-level professional designation program for experienced financial professionals certification marks granted by the College of Financial Planning, Inc. The College for Financial Planning, with more than 37 years of financial services education expertise, is the most established and experienced provider of financial planning education in the industry. Individuals who hold the APMA<sup>®</sup> designation have completed a course of study that encompasses client assessment and suitability, risk/return, investment objectives, bond and equity portfolios, modern portfolio theory, investor psychology, and other topics germane to building appropriate client portfolios.

All designees have agreed to adhere to Standards of Professional Conduct and are subject to a disciplinary process. Designees renew their designation every two-years by completing 16 hours of continuing education, reaffirming adherence to the Standards of Professional Conduct and complying with self-disclosure requirements.

*Business Experience*

Montoya Wealth Management Group LLC (07/2016-Present)

Prescott, AZ

President/Managing Member (07/2016-Present)

Chief Compliance Officer/Investment Advisor Representative (09/2016-Present)

Bank of America (11/2015-07/2016)

Merrill Lynch, Pierce, Fenner & Smith, Incorporated (09/2015-07/2016)

Scottsdale, AZ

Financial Advisor

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<sup>4</sup> North America Securities Administrators Association (NASAA) examinations are "criterion based;" candidates who pass the exam are considered to have met the minimum competency level. The completion of a securities or insurance industry examination does not constitute or imply a person is "approved" or "endorsed" by a securities regulatory organization or state agency.

JP Morgan Securities LLC (07/2013-09/2015)  
Prescott, AZ  
Sales Assistant

Edwards Jones & Company, LP (01/2013-06/2013)  
St. Louis, MO  
Financial Advisor

Wells Fargo Bank NA (11/2011-01/2013)  
Prescott, AZ  
Private Banker

Fortner Law Firm (02/2011-11/2011)  
Prescott, AZ  
Legal Assistant

### **Item 3 - Disciplinary Information**

Registered investment advisors are required to disclose certain material facts about its associated personnel regarding any legal or disciplinary events, including criminal or civil action in a domestic, foreign or military court, or any proceeding before a state, federal or foreign regulatory agency, self-regulatory organization, or suspension or sanction by a professional association for violation of its conduct rules, that would be material to your evaluation of each officer or a supervised person providing investment advice. Mr. Montoya has not been the subject of such a material reportable event.

### **Item 4 - Other Business Activities**

Investment advisor representatives are required to disclose outside business activities that account for a significant portion of their time or income, or that may present a conflict of interest with their advisory activities.

Mr. Montoya co-owns and operates Montoya Tax, LLC, a tax preparation service that principally serves clients of Montoya Wealth Management.

Mr. Montoya is a co-owner of Monberg Real Estate Holdings, LLC, which serves to hold and administer the business property at 2069 Willow Creek Road, Prescott, AZ, 86301.

Mr. Montoya is serving as a duly elected city councilor for the City of Prescott, Arizona. In an effort to avoid conflicts of interest, as a general rule, Mr. Montoya is not accepting any clients who are employed with the city or who have significant business with the City of Prescott. Mr. Montoya receives \$500/month for his service. His current term will end in November 2025.

Neither Mr. Montoya nor Montoya Wealth Management has a material relationship with the issuer of a security. He is not registered, nor has an application pending to register, as a registered representative of a FINRA or NFA broker/dealer or associated person of a futures commission merchant, commodity pool operator, or commodity trading advisor. He does not receive commissions, bonuses or other compensation based on the sale of securities, including that as a registered representative of a broker/dealer or the distribution or service ("trail") fees from the sale of mutual funds.

#### **Item 5 - Additional Compensation**

Neither our advisory firm nor Mr. Montoya is compensated for advisory services involving performance-based fees. In addition, firm policy does not allow associated persons to accept or receive additional economic benefit, such as sales awards or other prizes, for providing advisory services to firm clients.

#### **Item 6 - Supervision**

Mr. Montoya serves as the firm's Chief Compliance Officer. Because supervising one's self poses a conflict of interest, the firm has adopted policies and procedures to mitigate this conflict, and is currently using the services of unaffiliated professionals to ensure the firm's oversight obligations are met. Questions relative to the firm, its services or this brochure may be made to the attention of Mr. Montoya at 928-460-0972.

Questions relative to the firm, its services or this Form ADV Part 2B may be made to the attention of Mr. Montoya at 928-460-0972. Additional information about the firm, other advisory firms, or an associated investment advisor representative is available on the Internet at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov). A search of this site for firms may be accomplished by firm name or a unique firm identifier, known as an IARD number or CRD number. The IARD number for Montoya Wealth Management Group LLC is 285039.

The business and disciplinary history, if any, of an investment advisory firm and its representatives may also be obtained by calling the Arizona Corporation Commission Securities Division at (602) 542-4242.

#### **Item 7 - Requirements for State-Registered Advisors**

There have been neither awards nor sanctions or other matters where Mr. Montoya or Montoya Wealth Management has been found liable in an arbitration, self-regulatory or administrative proceeding.

# Form ADV Part 2B: Brochure Supplement (Investment Advisor Representative)

## Item 1 - Cover Page



Registered Investment Advisor  
CRD # 285039

Montoya Wealth Management Group LLC  
2069 Willow Creek Road  
Prescott, AZ 86301

Tel: (928) 308-7650  
[www.montoyawealth.com](http://www.montoyawealth.com)

**Erica Elizabeth Ryberg, CFP®, CRPC®**

Investment Adviser Representative  
CRD #: 6697964

Form ADV Part 2B  
Brochure Supplement  
March 28, 2024

This brochure provides information about Erica Ryberg that supplements the Montoya Wealth Management Group LLC Form ADV Part 2A firm brochure. You should have received a copy of that brochure. Please contact our Chief Compliance Officer, Brandon Montoya, at (928) 460-0972 if you did not receive the full brochure or if you have any questions about the contents of this supplement. Additional information about Erica Ryberg is available on the Securities and Exchange Commission's (SEC) website at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov) under CRD # 6697964.

## **Item 2 - Educational Background and Business Experience**

Regulatory guidance requires the firm to disclose relevant post-secondary education and professional training for each principal executive and associate of the firm, as well as their business experience for at least the most recent five years.

### **Erica Ryberg**

#### ***Investment Advisor Representative***

Year of Birth: 1974 / CRD Number: 6697964

#### **Formal Education after High School**

Bachelor of Science in Biology, Northern Arizona University; Flagstaff, AZ

Associate of Arts in General Studies, Yavapai College; Prescott Arizona

Certificate in Paramedic Studies, Glendale Community College; Glendale, WA

Coursework in Calculus and General Studies, Wenatchee Valley College; Wenatchee, WA

#### **Professional Designations**

##### **CERTIFIED FINANCIAL PLANNER™**

The CERTIFIED FINANCIAL PLANNER™ and CFP® (with flame design) marks (collectively, the “CFP® marks”) are professional certification marks granted in the United States by Certified Financial Planner Board of Standards, Inc. (“CFP Board”).

The CFP® certification is a voluntary certification; no federal or state law or regulation requires financial planners to hold CFP® certification. It is recognized in the United States and a number of other countries for its (1) high standard of professional education; (2) stringent code of conduct and standards of practice; and (3) ethical requirements that govern professional engagements with clients.

To attain the right to use the CFP® marks, an individual must satisfactorily fulfill the following requirements:

- Education – Complete an advanced college-level course of study addressing the financial planning subject areas that CFP Board’s studies have determined as necessary for the competent and professional delivery of financial planning services, and attain a Bachelor’s Degree from a regionally accredited United States college or university (or its equivalent from a foreign university). CFP Board’s financial planning subject areas include insurance planning and risk management, employee benefits planning, investment planning, income tax planning, retirement planning, and estate planning.
- Examination – Pass the comprehensive CFP® Certification Examination. The examination includes case studies and client scenarios designed to test one’s ability to correctly diagnose financial planning issues and apply one’s knowledge of financial planning to real world circumstances.
- Experience – Complete at least three years of full-time financial planning-related experience (or the equivalent, measured as 2,000 hours per year); and
- Ethics – Agree to be bound by CFP Board’s Standards of Professional Conduct, a set of documents outlining the ethical and practice standards for CFP® professionals.

Individuals who become certified must complete the following ongoing education and ethics requirements in order to maintain the right to continue to use the CFP® marks:

- Continuing Education – Complete 30 hours of continuing education hours every two years, including two hours on the Code of Ethics and other parts of the Standards of Professional Conduct, to maintain competence and keep up with developments in the financial planning field; and
- Ethics – Renew an agreement to be bound by the Standards of Professional Conduct. The Standards prominently require that CFP® professionals provide -financial planning services

at a fiduciary standard of care. This means CFP® professionals must provide financial planning services in the best interests of their clients.

CFP® professionals who fail to comply with the above standards and requirements may be subject to CFP Board's enforcement process, which could result in suspension or permanent revocation of their CFP® certification.

### **Chartered Retirement Planning Counselor, CRPC®, 2020**

Individuals who hold the CRPC® designation have completed a course of study encompassing pre-and postretirement needs, asset management, estate planning and the entire retirement planning process using models and techniques from real client situations. Additionally, individuals must pass an end-of-course examination that tests their ability to synthesize complex concepts and apply theoretical concepts to real-life situations. All designees have agreed to adhere to Standards of Professional Conduct and are subject to a disciplinary process. Designees renew their designation every two-years by completing 16 hours of continuing education, reaffirming adherence to the Standards of Professional Conduct and complying with self-disclosure requirements.

### **Business Experience**

Montoya Wealth Management Group LLC; Prescott, AZ  
Investment Advisor Representative (11/2016 – Present)  
Marketing Director (06/2016 – Present)

Stay at home parent (04/2016 – 06/2016)

Amazon.com; Prescott, AZ  
Technical Writer II (06/2015 – 04/2016)

Yavapai College, Prescott, AZ  
Student (08/2014 – 06/2015)

Amazon.com; Seattle, WA  
Technical Writer II (09/2010 – 08/2014)

### **Item 3 - Disciplinary Information**

Registered investment advisors are required to disclose certain material facts about its associated personnel regarding any legal or disciplinary events, including criminal or civil action in a domestic, foreign or military court, or any proceeding before a state, federal or foreign regulatory agency, self-regulatory organization, or suspension or sanction by a professional association for violation of its conduct rules, that would be material to your evaluation of each officer or a supervised person providing investment advice. Ms. Ryberg has not been the subject of any such event requiring disclosure.

### **Item 4 - Other Business Activities**

Investment advisor representatives are required to disclose outside business activities that account for a significant portion of their time or income, or that may present a conflict of interest with their advisory activities.

Ms. Ryberg co-owns Montoya Tax, LLC, a tax preparation service that principally serves clients of Montoya Wealth Management.

Ms. Ryberg is a co-owner of Monberg Real Estate Holdings, LLC, which serves to hold and administer the business property at 2069 Willow Creek Road, Prescott, AZ, 86301.

**Item 5 - Additional Compensation**

Ms. Ryberg is not compensated for advisory services involving performance-based fees. In addition, firm policy does not allow associated persons to accept or receive additional economic benefit, such as sales awards or other prizes, for providing advisory services to firm clients.

**Item 6 - Supervision**

Firm policies and procedures have been designed to ensure appropriate recordkeeping and supervision, and all associates are required to adhere to our firm's Code of Ethics and procedural guidelines.

Information about Montoya Wealth Management, other advisory firms, or an associated investment advisor representative is available on the Internet at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov). A search of this site for firms may be accomplished by firm name or a unique firm identifier, known as an IARD or CRD number. The IARD number for Montoya Wealth Management is 285039. The business and disciplinary history, if any, of an investment advisory firm and its representatives may also be obtained by calling the Arizona Corporation Commission Securities Division at (602) 542-4242.

**Item 7 - Requirements for State-Registered Advisors**

There have not been awards nor sanctions or other matters where Ms. Ryberg has been found liable in a self-regulatory or administrative proceeding; nor has Ms. Ryberg been the subject of a bankruptcy petition.